



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

February 27, 1997

Hon. Spencer T. Nissen  
Office of Administrative Law Judges  
Environmental Protection Agency  
401 M Street, S.W.  
Washington, D.C. 20460

RE: CATALINA YACHTS, INC.  
Docket No. EPCRA-09-94-0013

Dear Judge Nissen:

Pursuant to the applicable provisions of the "Consolidated Rules" (40 CFR §22.25, §22.26), I hereby provide the completed transcript in the above named case. A copy of the transcript is being mailed this day to your office. In addition, one copy is being hand delivered to Counsel for EPA.

Pursuant to the Consolidated Rules, Respondent may purchase copies of the transcript from the court reporter [Hill Reporting Service; 353 Sacramento Street, Suite 600; San Francisco, CA 94111; Phone: (415)-989-4363].

NOTE: Please be aware that a correction was made to page 133 in the transcript. The corrected page along with a copy of the court reporter's cover letter are attached.

Sincerely,

*Steven Armsey*  
Steven Armsey  
Regional Hearing Clerk

cc>D.Jones  
E.Nottoli

HILL REPORTING SERVICE  
353 Sacramento Street, Suite 600  
San Francisco, CA 94111  
(415) 989-4363  
1-800-492-2002

Branch Office:  
P.O. Box 9831  
Truckee, CA 96162  
(12990 Muhlebach Way)  
(916) 587-4267

R. Gary Hill, CSR, RMR  
CSR #1152  
Kay C. Hill, CSR, RMR  
CSR #2368

**FILED**

**FEB 24 1997**

TO: David Jones, Esq.  
James Meeder, Esq.

FROM: Kay C. Hill, CSR

ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
HEARING CLERK

DATED: February 21, 1997

RE: Catalina Yachts Hearing of 1/28/97

After speaking with Mr. Steve Armsey of the EPA, I am enclosing a corrected page to be attached to your transcript of 1/28/97 in the above referenced matter.

Mr. Armsey pointed out that Exhibit 6 was admitted into evidence in the transcript before the judge had made his final ruling on its admission.

*Kay C. Hill*

cc: S. Armsey

1           in evidence.]

2           THE COURT:   And, of course, we still have  
3 pending Mr. Meeder's motions to admit R-6.

4           And I assume, Mr. Jones, that you are still  
5 maintaining your objection?

6           MR. JONES:   Yes, sir.

7           THE COURT:   Well, your objection is that it  
8 was irrelevant, and that specific objection I am  
9 overruling on the grounds that it is relevant to  
10 penalty mitigation.

11          MR. MEEDER:   Your Honor, I would like also,  
12 for convenience of the Court, to move into admission  
13 our seven and eight, which has been marked for  
14 identification.

15          THE COURT:   Yes, those two documents are  
16 judicially noticeable.

17          [Respondent's Exhibits 7 and 8 were received  
18 in evidence.]

19          THE COURT:   What I will do, I will admit the  
20 letter, the letter signed by Mr. Pepiak to Mr. Douglas,  
21 but the declaration I think I am going to exclude  
22 because Mr. Pepiak isn't available for  
23 cross-examination.

24          [Respondent's Exhibit No. 6 was received  
25 in evidence.]

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